

REMARKS

Currently only a single claim, claim 10, is being presented in the instant application. The remaining claims have either been cancelled or withdrawn from the instant application.

The Examiner has continued the objection to the specification with regard to the corrections to pages 3 and 4 of the specification. The specification at this area is directed to Summary of the Invention which is consistent with the independent claims currently being presented. It is respectfully submitted that this part of the specification, along with the amended claim, are clearly supported by the application as originally submitted. The Examiner, in response to Applicant's previous arguments, has stated that "the applicant's specification fails to describe the steps of "comparing the image on the document and an image of the presenter as obtained by a camera at said remote location with the stored image at said database associated with the first unique ID"". Applicant would refer the Examiner to the specification at page 13, lines 26 to page 14, line 9 which states "To verify the identity of the person 130 the captured digital image 125 is transmitted along with the unique identification number 50 from the remote location 190 to the central location 150 as shown in block 710. The central location 150 using the unique identification number 50 locates and retrieves the person's image 125 stored on the server 110 as shown by block 720. The retrieved image 125 is displayed on a monitor 125 where it is compared to the transmitted image 175."

Applicant respectfully submits there is ample support in the specification for the objected passages. As described in the specification, there is a number of variant forms of operation of the present invention. For example, at page 9, lines 21-28 there is disclosed the situation where "The digital image 125 of the person 130 and encoded data that has been read is sent via the communications link 160 to a central location 150 where the image 125 along with the associated verifying information are stored ... The scanned digital image 125 can be viewed on a monitor at the central location 150." As set forth at page 10, lines 10 and 11, "The system of Fig. 3 can be operated in a number of another ways in accordance with the present invention." Thereafter the specification goes on to describe various ways of operation. Accordingly, Applicant respectfully

submits there is ample support and basis for the claim limitations as currently set forth in independent claim 1.

The Examiner, in paragraph 6, rejected claim 10 under 35 USC § 112, first paragraph as failing to comply with the enablement requirement. Enablement deals with the ability to practice the invention. However, the Examiner goes on to state that the quoted phrase is not sufficiently described by Applicant's specification. Applicant does not understand as this deals with the sufficiency of the disclosure not enablement to practice the invention. As Applicant has previously pointed out, there is a number of alternative ways of operating the present system. All of the elements set forth in the claims are clearly described in the specification, therefore one of ordinary skill is enabled to practice the claimed invention.

The Examiner, in paragraph 7 of the Official Action, states that the claimed subject matter was not described in the specification in a way to reasonably convey to one skilled in the relevant art that the inventor at the time the application was filed, had possession of the claimed invention. Applicant has shown that the system was designed to operate in a variety of different manners and has provided sufficient equipment and logic to explain how the indicias may be read and transmitted to the central database and used. The Examiner states that comparing the image on the document and an image of the presenter by a camera at a remote location with the stored image at the database associated with the first unique ID is not described in Applicant's specification. As previously noted, Applicant refers the Examiner to pages 13 and 14 as previously recited does indeed disclose this. The Examiner states that only two images (the captured digital image of the person and the stored image on the server) are compared. The Examiner goes on to say "There appears to be no indication that the image on the document and an image of the presenter are compared with the stored image at the database." As Applicants have previously noted, the specification clearly sets forth an embodiment where the image of the presenter as captured by the camera is compared with the image stored at the database.

With regard to paragraph 8 of the rejection, the Examiner again rejects claim 10 under 35 USC § 112 second paragraph as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner states that the cited passages

render the claims indefinite because it is unclear how information relating to the first ID can confirm the identity of the captured device and the printing device or location that was used for producing the document when only the second ID provides information with regard to capture device printing device or location that was used for producing the document. Claim 10 has two specific unique IDs, one associated with the holder of the authentication document and an image of the holder stored at the database and the second ID deals with the capture device used to capture the image of the holder and the location of the printer used to produce the document. Claim 10 further sets forth that the information is sent to the storage location whereby the information is used for confirming the identity of the capture device and printing location used for producing the document and for comparing the image on the document and image of the presenter as obtained by the camera at the remote location with the stored image at the database associated with the first unique ID. So each of the unique IDs provides its own separate function. In the present invention, the comparing as provided by claim 10 avoids the possibility of forgery of the actual document being presented by pasting an image of the person being at the presenter. By taking the appropriate numbers and comparing with the information at the database, this avoids someone presenting a forged document.

In view of the foregoing Applicant respectfully submit that there is ample support in the specification and claims as currently set forth.

The Examiner rejected claim 10 under 35 as being unpatentable over the combination of Rhoads, Zdybel et al. and Cadorette, Jr. for the reasons set forth in paragraph 9. As previously discussed, the three cited references do not teach or suggest the invention nor is there any teaching or motivation to combine the references as suggested by the Examiner. It is almost always possible to piecemeal individual elements and come up with the claimed invention, however, in the present instance, there is no teaching or suggestion of combining references suggested by the Examiner.

The present invention provides method and system for verifying the validity of a document and presenter in a manner such that it makes it extremely difficult for forging of the document as there is required certain information that would not be able to be gleaned from the document per se.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 27,370

Frank Pincelli/phw
Rochester, NY 14650
Telephone: 585-588-2728
Facsimile: 585-477-4646